

REMARKS

Claims 1-9 are pending in this application. By this Amendment, claims 1-9 are amended. No new matter is added. In view of at least the following remarks, reconsideration and allowance are respectfully requested.

The courtesies extended to Applicant's representative by Examiner Thomas and Examiner Gandhi at the interview held June 26, 2008, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview.

Claims 1-9 are objected to because of informalities. The objections are obviated by the above amendments. Accordingly, reconsideration and withdrawal of the objections are respectfully requested.

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0061579 (Nelson) in view of U.S. Patent No. 6,703,916 (Charvet). This rejection is respectfully traversed.

The applied references fail to disclose or suggest a microswitch including "a deformable membrane" where "the membrane being physically attached to a substrate," as recited in claim 1.

The Office Action asserts that beams 14 and 20 in Figs. 3-5 of Nelson correspond to the deformable membrane in claim 1. See Office Action at page 3.

However, as discussed during the interview, Fig. 3-5 of Nelson illustrate that beam 20 touches the substrate at the dimple portions 30 and 28. The dimple portions 30 and 28 are lifted from the substrate 12 during operation of the microswitch. Therefore beam 20 moves off of the substrate 12. Thus, beam 20 is not "physically attached" to the substrate because beam 20 is detached from the substrate during normal operation.

The applied references also fail to disclose or suggest a microswitch including "contact arm remaining substantially parallel to the substrate and deforming less than the flexure arms upon actuation of the microswitch," as recited in claim 1.

The Office Action asserts that beam 14 in Figs. 3-5 of Nelson corresponds to the "contact arm" as recited in claim 1. See Office Action at page 4.

Beam 14 connects to a support structure 24 on one side, as shown in Fig. 3 of Nelson. When the opposite side of the beam 14 is pulled down during the actuation of the microswitch, the beam 14 pivots around the support structure 24 and the free end describes an arc of a circle with the support structure 24 as the origin of the arc. As discussed during the interview, when the microswitch is actuated, the alleged contact arm 14 deforms significantly more than the alleged flexure arm 20 because the alleged flexure arm 20 appears to move off of the substrate without significant deformation. As shown in Fig. 4 of Nelson, when the microswitch is actuated, beam 14 is deformed downwardly in an arc and beam 20 is not deformed merely as much as beam 14. Thus, the beam 14 (alleged contact arm) is not "substantially parallel" to the substrate and is not "deforming less than the flexure arms" upon actuation of the microswitch, as recited in claim 1.

Charvet does not cure the deficiencies of Nelson. Thus, claim 1 is patentable over the combination of both Nelson and Charvet.

Claims 2-9 depend from claim 1, and therefore are also patentable over the applied references for at least the reasons enumerated above, as well as for the additional features they recite.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Date: July 11, 2008

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